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*Intellectual Property Law*

# F A C S I M I L E

Name: **Examiner: My Chau T Tran**  
**Art Unit: 1639**

Company: **United States Patent and Trademark Office**

Fax Number: **1-571-273-8300**

From: **James J. Schumann / Theresa R. Olmstead**

Today's Date: **Monday, July 25, 2005**

File No.: **71726/6776**

Pages: **Twelve (12) (including this cover sheet)**

Attached please find the following documents in connection with U.S. Application No. **10/054,728**, filed **October 25, 2001**.

- Transmittal Form (1 sheet); and
- Amendment and Response to Restriction Requirement (10 pages)

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PTO/SB/21 (09-04)

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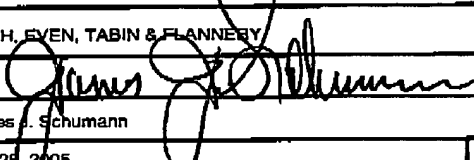
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/054,728
	Filing Date	October 26, 2001
	First Named Inventor	Roberto Fagnani
	Art Unit	1639
	Examiner Name	My Chau T Tran
	Attorney Docket Number	71726/6776
Total Number of Pages in This Submission		11

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	FITCH, EVEN, TABIN & FLANNERY		
Signature			
Printed name	James J. Schumann		
Date	July 25, 2005	Reg. No.	20,856

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Typed or printed name	Theresa R. Olmstead	Date	July 25, 2005

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Applicant : Roberto Fagnani, et al.

Appl. No. : 10/054,728

Filed : October 25, 2001

Title : THREE DIMENSIONAL FORMAT  
BIOCHIPS

TC/A.U. : 1639

Examiner : My Chau T Tran

Customer No. : 22242

Conf. No. : 3521

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Theresa R. Olmstead

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AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the restriction requirement mailed June 23, 2005, to which a  
shortened one month period for response was set to expire on July 26, 2005, Applicant  
submits the following amendments and remarks. Amendments to the claims begin on  
page 2. Remarks begin on page 8.